

Notice of Allowability

Application No.

10/517,982

Examiner

EUGENIA WANG

Applicant(s)

TRIFONI ET AL.

Art Unit

1795

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received August 27, 2009.
2. ☒ The allowed claim(s) is/are 1-8,10,11,14-16,18,20-22 and 24-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 9/2/09
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

DETAILED ACTION

Response to Amendment

1. In response to the amendment received August 27, 2009:
 - a. Claims 9, 12-13, 17, 19, and 23 have been cancelled as per Applicant's request. Claims 1-8, 10-11, 14-16, 18, 20-22, and 24-27 are pending.
 - b. The previous 112 rejections have been withdrawn in light of the amendment.
 - c. The previous claim objection has been withdrawn in light of the amendment.
 - d. The previous prior art rejection of record has been withdrawn, as the currently pending claims now incorporate subject matter previously indicated as allowable.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mark Sweet on September 2, 2009.

The Application has been amended as follows:

- a. In claim 1:

At line 28, please replace "or" with 'for', such that the phrase reads '...discharge openings for discharging...'

At line 31, please replace "connect" with 'connects', such that the phrase reads '...a side channel fluidly connects the side opening...'

b. In claim 14:

At line 32, please insert the phrase 'in which' between the words "portion" and "in," such that the phrase reads '...portion in which an...'

At line 40, please insert the word 'are' between the words "holes" and "located," such that the phrase reads '...holes are located...'

c. In claims 25 and 26:

At line 32, please insert the phrase 'in which' between the words "portion" and "in," such that the phrase reads '...portion in which an...'

Delete the spacing indicating a new line between lines 36 and 37, so that the phrase is formatted such that the portion is within the same paragraph (i.e. reads continuously: 'a zone for collecting said flow of gaseous reactants fluidly connects with said feed openings of said rigid perimetrical portion through a feed channel, and').

Allowable Subject Matter

3. Claims 1-8, 10-11, 14-16, 18, 20-22, and 24-27 are allowed.

The following is an Examiner's statement of reasons for allowance: none of the prior art of record, alone or in combination, appear to teach, suggest, or render obvious the invention of at least claims 1, 14, 25, and 26.

Claim 1 has been amended to include the allowable subject matter in previously pending claim 13 and its intervening claims. Claim 14 has been amended to include the allowable subject matter in previously pending claim 23 and its intervening claims. Claims 25 and 26 have been rewritten in independent claim form (and includes the subject matter previously indicated as allowable). The reasons for as to why the subject matter in previously pending claims 13 and 23 (incorporated with claims 1 and 14, respectively) and currently pending claims 25 and 26 have been set forth in the actions dated October 17, 2007, March 27, 2008 and December 8, 2008 and are herein incorporated.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EUGENIA WANG whose telephone number is (571)272-4942. The examiner can normally be reached on 7 - 4:30 Mon. - Thurs., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Ryan can be reached on 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/E. W./
Examiner, Art Unit 1795

/PATRICK RYAN/
Supervisory Patent Examiner, Art Unit 1795